

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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ISAAC RICHEY,

*Plaintiff,*

-against-

ANN MARIE T. SULLIVAN, MD, in her Individual and  
Official Capacity, NEW YORK STATE OFFICE OF  
MENTAL HEALTH, NEW YORK STATE OFFICE OF  
NICS APPEALS AND SAFE ACT, DOES 1-10 in their  
individual capacities,

*Defendants.*

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**ATTORNEY  
DECLARATION**

1:23-cv-0344

AMN/DJS

Mark G. Mitchell, on the date noted below and pursuant to § 1746 of title 28 of the United States Code, declares the following to be true and correct under penalty of perjury under the laws of the United States of America:

1. I am an Assistant Attorney General in the office of LETITIA JAMES, Attorney General of the State of New York, attorney for Defendants Ann Marie T. Sullivan, MD, in her individual and official capacity; New York State Office of Mental Health; and New York State Office of NICS Appeals and Safe Act in the above-captioned action. I am an attorney duly admitted to practice before this Court and am fully familiar with the proceedings had herein.

2. I make this Declaration in opposition to Plaintiff's motion for leave to file an Amended Complaint. ECF No. 31.

3. Attached hereto as **Exhibit 1** is a copy of the written determination, dated July 28, 2022, which denied Plaintiff's application for a certificate of relief from disabilities related to firearm possession. This document is incorporated by reference in Plaintiff's Complaint. ECF No. 1 ¶ 92.

WHEREFORE, Plaintiff's motion to amend should be denied except insofar as Plaintiff seeks to withdraw claims and requests for relief.

Dated: April 17, 2024  
Albany, New York

*s/ Mark G. Mitchell*

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